

PATENT COOPERATION TREATY

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Commissioner
 US Department of Commerce
 United States Patent and Trademark
 Office, PCT
 2011 South Clark Place Room
 CP2/5C24
 Arlington, VA 22202
 ETATS-UNIS D'AMERIQUE
 in its capacity as elected Office

Date of mailing (day/month/year) 28 May 2001 (28.05.01)	
International application No. PCT/GB00/03617	Applicant's or agent's file reference 130/56/P/WO
International filing date (day/month/year) 21 September 2000 (21.09.00)	Priority date (day/month/year) 22 September 1999 (22.09.99)
Applicant CLIFFORD, Roger	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

18 April 2001 (18.04.01)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

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The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer Olivia TEFY Telephone No.: (41-22) 338.83.38
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INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 130/56/P/WO	FOR FURTHER ACTION see Notification of Transmittal of International Search Report (Form PCT/ISA/220) as well as, where applicable, item 5 below.	
International application No. PCT/GB 00/ 03617	International filing date (<i>day/month/year</i>) 21/09/2000	(Earliest) Priority Date (<i>day/month/year</i>) 22/09/1999
Applicant CLIFFORD, Roger		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 3 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

- a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.



the international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

- b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international search was carried out on the basis of the sequence listing :



contained in the international application in written form.



filed together with the international application in computer readable form.



furnished subsequently to this Authority in written form.



furnished subsequently to this Authority in computer readable form.



the statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.



the statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

2. ☐ **Certain claims were found unsearchable** (See Box I).

3. ☐ **Unity of invention is lacking** (see Box II).

4. With regard to the **title**,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box III. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. The figure of the **drawings** to be published with the abstract is Figure No.



as suggested by the applicant.



because the applicant failed to suggest a figure.



because this figure better characterizes the invention.

3



None of the figures.

PCT/GB 00/03617

IPC 7 H04M1/725 H04M1/66 H04M11/04

B. FIELDS SEARCHED

IPC 7 H04M

EPO-Internal

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 742 666 A (ALPERT) 21 April 1998 (1998-04-21) abstract	1-5, 7, 14
A	column 3, line 6 - line 14 column 3, line 34 - line 50 column 4, line 35 - line 65 column 5, line 8 - line 23 column 5, line 55 - column 6, line 14 column 6, line 28 - line 38 column 6, line 59 - column 7, line 8 column 13, line 51 - line 65 column 14, line 35 - line 48 figures 1, 2, 3A, 8 --- -/--	11

Y Patent family members are listed in annex.

***&** document member of the same patent family

01/03/2001

Fragua, M

INTERNATIONAL SEARCH REPORT

International Application No.

PCT/GB 00/03617

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	DE 44 21 508 A (BUREN) 1 December 1994 (1994-12-01) column 1, line 34 - line 61	1-5,7,14
A	column 2, line 10 - line 20 column 2, line 48 -column 3, line 4 column 6, line 53 -column 7, line 12 column 7, line 35 -column 8, line 4 column 9, line 47 -column 10, line 19 column 10, line 46 -column 11, line 4 figures 1,2,4 ---	11
X	DE 196 52 142 A (SCHMIDT) 18 June 1998 (1998-06-18) abstract	1,2,4,5, 7,14
A	column 1, line 26 -column 2, line 9 column 2, line 31 - line 36 column 3, line 8 - line 14 column 3, line 32 - line 59 claims 12-14,21 figure 1 ---	11
X	EP 0 920 225 A (MATSUSHITA ELECTRIC IND CO LTD) 2 June 1999 (1999-06-02)	1,5,7
A	column 1, line 45 -column 2, line 24 column 2, line 33 -column 3, line 5 column 3, line 44 - line 56 column 4, line 50 -column 5, line 33 column 6, line 7 - line 43 figures 1,2,4 ---	2,3, 11-13
A	WO 97 36771 A (NEXUS TELECOMM SYST) 9 October 1997 (1997-10-09) abstract page 5, line 5 -page 6, line 20 page 7, line 23 - line 29 page 8, line 15 -page 9, line 4 page 9, line 11 - line 24 figures 1,2 -----	1,6,9, 11,14

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB 00/03617

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 5742666	A	21-04-1998	NONE		
DE 4421508	A	01-12-1994	AU	7067394 A	17-01-1995
			WO	9500860 A	05-01-1995
			EP	0739491 A	30-10-1996
DE 19652142	A	18-06-1998	NONE		
EP 0920225	A	02-06-1999	JP	11164057 A	18-06-1999
			CN	1218360 A	02-06-1999
WO 9736771	A	09-10-1997	AU	1937097 A	22-10-1997

REC'D 21 NOV 2001

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 130/56/P/WO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/GB00/03617	International filing date (day/month/year) 21/09/2000	Priority date (day/month/year) 22/09/1999
International Patent Classification (IPC) or national classification and IPC H04M1/725		
Applicant CLIFFORD, Roger		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.



2. This REPORT consists of a total of 7 sheets, including this cover sheet.

- ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 18/04/2001	Date of completion of this report 19.11.2001
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized officer Pohl, M Telephone No. +49 89 2399 7367 

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/03617

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, pages:

1-9 as originally filed

Claims, No.:

1-14 as originally filed

Drawings, sheets:

1/2-2/2 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/GB00/03617

☐ the drawings, sheets:

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)):

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims 1-14
	No: Claims
Inventive step (IS)	Yes: Claims
	No: Claims 1-14
Industrial applicability (IA)	Yes: Claims 1-14
	No: Claims

2. Citations and explanations
see separate sheet

VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:
see separate sheet

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:
see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/03617

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

- D1: US-A-5 742 666 (ALPERT) 21 April 1998 (1998-04-21)
- D2: WO 97 36771 A (NEXUS TELECOMM SYST) 9 October 1997 (1997-10-09)
- D3: EP-A-0 920 225 (MATSUSHITA ELECTRIC IND CO LTD) 2 June 1999 (1999-06-02)
- D4: DE 44 21 508 A (BUREN) 1 December 1994 (1994-12-01)
- D5: DE 196 52 142 A (SCHMIDT) 18 June 1998 (1998-06-18)

2. The present application does not meet the requirements of Article 33(3) PCT for the following reasons:

2.1 D1 discloses, according to the features of **claim 1**, a portable alarm and cellular telephone unit (fig. 3A), comprising a cellular telephone transmitter/receiver (72), telephone number input means (62), a microphone (60) and loudspeaker (58), wherein the unit further comprises a sensor (66) adapted to detect an alarm condition, the sensor being operably linked to the transmitter/receiver such that upon detection of the alarm condition an alarm call is placed automatically to a predetermined destination telephone number (abstract; *"cellular telephone automatically dials one or more prescribed emergency telephone numbers in the event of an emergency"*).

The only difference between the subject-matter of claim 1 and the disclosure of D1 is the incorporation of all parts in a single unit. This is however considered to fall within the choice of options obvious to a person skilled in the art and therefore not providing anything of inventive significance.

As a consequence, the subject-matter of claim 1 is not inventive and does not meet the requirements of Article 33(3) PCT.

- 2.2 **D1** discloses, according to the essential features of independent apparatus **claim 11**, a portable alarm unit (fig. 3A) comprising a cellular telephone receiver/transmitter (72) and a sensor (66) adapted to detect an alarm condition, the sensor being operably linked to the transmitter/receiver such that upon detection of the alarm condition an alarm call is placed automatically to a predetermined destination telephone number (abstract; *"cellular telephone automatically dials one or more prescribed emergency telephone numbers in the event of an emergency"*).

The difference between the subject-matter of claim 11 and the disclosure of D1 is that the sensor is alternately armed and disarmed by reception of an incoming telephone call.

The objective problem can therefore be formulated as how to remotely activate and deactivate a portable alarm unit.

The skilled person, in order to solve the above problem, would also consult other documents dealing with portable alarm systems and find a solution to the above problem in document **D2** which discloses a vehicle alarm system enabling the owner to *"send commands to vehicle 101 to enable certain functions such as to arm the alarm system"* (page 8, line 18f.).

Therefore, the skilled person would combine the teachings of documents D1 and D2 and arrive, without the need to exercise any inventive activity, at the subject-matter of claim 11.

As a consequence, the subject-matter of claim 11 does not involve an inventive step and does therefore not meet the requirements of Article 33(3) PCT.

- 2.3 Dependent **claims 2 to 10 and 12 to 14** do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, the reasons being as follows:

Claims 2 to 5 and 7:

D1 shows a telephone comprising a numerical keypad (62), a visual display screen (60), a movement sensor (66b), further external sensors (66a to 66d) and a manually operated switch (64).

Claims 6 and 8 to 10:

Means for arming the sensor by dialling-in are disclosed in D2 (page 8, line 18f.). The use of a predetermined code or the use of the number of the remote telephone is considered to be a design option, obvious to a person skilled in the art.

Claims 12 and 13:

D3 discloses the use of manually actuable (column 3, line 55f.) audible (column 1, line 51) and visual (column 2, line 1) alarm signals.

3. Having regard to the above objections, it is not clear what inventive contribution has been made over the prior art of D1 and D2 by the present application.

It should be noted, that the above reasoning could have also been based on documents D4 and D5, which also are of particular relevance.

4. The subject-matter defined in **claims 1 to 14** is, however, industrially applicable (Article 33(4) PCT).

Re Item VII

Certain defects in the international application

1. In order to meet the requirements of Rule 5.1(a), (ii) PCT, the relevant prior art, i.e. the documents listed above, should have been acknowledged by reference and briefly discussed in the introductory part of the description.
2. The independent claims should have been drafted in the proper two-part "characterised" form recommended by Rule 6.3(b), (I), (ii) PCT, having a preamble that correctly reflects the nearest prior art, presumably that represented by the above noted D1 or D2.

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/GB00/03617

All the claims should have included reference signs in parentheses where features shown in the drawings are referred to (Rule 6.2(b) PCT).

The use of text between parentheses not relating to reference signs should have been avoided because of the uncertainty as to their limiting character. In this respect, it is considered that the acronyms employed in the claims referring to technical features accompanying a full text definition the first time one such feature is mentioned, should appear without placing the acronym between parentheses (cf. claim 14, "*Global Positioning System GPS*").

Re Item VIII

Certain observations on the international application

1. The present application contains 2 independent apparatus claims (claims 1 and 11) of overlapping scope. Thus the claims as a whole are not clear and concise and the requirements of Article 6 PCT are not met.

The claims should have been recasted to include only the minimum necessary number of independent claims in any one category, Rule 6.1(a) PCT, with dependent claims as appropriate, Rule 6.4 PCT.

In the present case it is considered appropriate to use only 1 independent claim in the apparatus category.